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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/414,590	10/08/1999	K. Scott Ramey	03384.0374	3561

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EXAMINER

CALDWELL, ANDREW T

ART UNIT	PAPER NUMBER
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2157

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DATE MAILED: 07/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Page

Office Action Summary

Application No.

09/414,590

Applicant(s)

RAMEY ET AL.

Examiner

Andrew Caldwell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2003.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-66 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-66 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 14.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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II. Detailed Action

Remarks

Claims 1-66 are pending.

No amendments or arguments were submitted with request for the Continued Prosecution Application under 37 CFR 1.53(d) filed on July 9, 2003.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-2, 4-16, 18-30, 32-44 and 46-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wood, U.S. Patent No. 6,091,808, in view of the Java Telephony API: An Overview, version 1.1, pp. 1-41, January 28, 1997, hereinafter the "Java Telephony API."

Regarding claim 43, Wood teaches the invention substantially as claimed by disclosing a system comprising:

A digital computer containing a communication circuit for enabling a legacy call server coupled to the telephone system to communicate with a web application (Fig. 1 elem. 22 web facility; more specifically Fig. 2 elems. 30 and 32; col. 3 lines 28-31);

A circuit for using the web application to control the legacy call server (Fig. 1 elem. 22 web facility; more specifically Fig. 2 elems. 30 and 32);

A circuit for enabling a legacy telephone device to communicate with the web application (Fig. 1 elems. 26 SCI and 16 telephone switch; col. 6 lines 56-66).

Wood does not explicitly teach a circuit for using the web application to control the legacy telephone.

The Java Telephony API on the other hand teaches a circuit for using the web application to control the legacy telephone (p. 8 terminal object; p. 25 java.telephony.phone package; pp. 27-41 showing various functions of the phone controlled by the java.telephony.phone API).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the Java Telephony API's teachings regarding the control of a telephone terminal with the system of Wood based on Wood's explicit suggestion to use the Java Telephony Toolkit (col. 4 lines 22-26).

Regarding claim 44, Wood teaches the invention substantially as claimed. See the rejection of claim 43 above. Wood also teaches a system including a circuit for providing a communication channel between the legacy call server and the web application (fig. 2 call control interface connecting to SCI). Wood does not specifically teach a circuit for translating data transferred between the legacy call server and the web application. On page 4, the Java Telephony API on the other hand teaches a circuit for translating data between the JTAPI API commands received in Figure 1 and the various API's shown below the telephony server. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the Java Telephony API's teachings regarding the translation between API's with the system of Wood because of Wood's explicit suggestion to use the Java Telephony Toolkit as a higher level interface (col. 4 lines 23-26). A higher level interface suggests translation to a lower level interface.

Regarding claim 46, Wood teaches a system wherein the circuit for using the web application to control the legacy call server includes a circuit for sending a call control command to the legacy call server (col. 6 lines 56-66).

Regarding claim 47, Wood teaches a system wherein the circuit for using the web application to control the legacy call server includes a circuit for sending a service control command to the legacy call server (col. 6 lines 56-66 command specifying distinctive ring as service control command).

Regarding claim 48, the Java Telephony API teaches a system wherein the circuit for enabling a legacy telephony device to communicate with the web application

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includes a circuit for providing a communication channel between the legacy telephony device and the web application (p. 8 terminal object; p. 25 java.telephony.phone package; pp. 27-41 showing various functions of the phone controlled by the java.telephony.phone API) and a circuit for translating data transferred between the legacy telephony device and the web application (Fig. 1; pp. 8, 25, and 27-41).

Regarding claim 49, the Java Telephony API teaches a system wherein the circuit for translating data transferred between the legacy telephony device and the web application comprises a circuit for converting web application data to legacy telephony data format and a circuit for converting legacy telephony device data to a web API data format (Fig. 1).

Regarding claim 50, the Java Telephony API teaches a system further comprising a circuit for using a telephony device abstraction (p. 8 terminal object).

As to claim 51, the combination of Wood in view of the Java Telephony API teaches the invention substantially as claimed. See the rejection of claim 50 above. The combination does not teach the additional limitation of claim 51. Official notice is hereby taken of the fact that object oriented languages, such as Java, use inheritance to create representations of objects at different levels of abstraction. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine this feature of object oriented programming languages with the system of the combination of Wood in view of the Java Telephony API by refining the terminal object class into classes representing specific types of terminals/phones having specific features (Java Telephony API discussing office phone having one number associated

with it versus multiple numbers). This combination would have been obvious because the use of object oriented techniques makes the resulting code more maintainable.

Regarding claim 52, the Java Telephony interface teaches a circuit for routing data transferred between the legacy telephony device and the web application (p. 8 terminal object). Wood teaches a circuit for arbitrating access to the legacy telephony device (col. 6 lines 56-66 checking to see whether subscriber's telephone is on-hook, or not busy).

Regarding claim 53, the combination of Wood in view of the Java Telephony API teaches the invention substantially as claimed. See the rejection of claim 50 above. The combination does not teach the additional limitation of claim 51. Official notice is hereby taken of the fact that browser plugins are well known in the art. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine a browser plugin with the browser of Wood because plugins enhance the capabilities of browsers.

As to claim 54, it is unpatentable over the combination of Wood in view of the Java Telephony API because a browser is an execution environment for a plugin, and the combination as applied to claim 53 above teaches a browser including plugins.

Regarding claim 55, the Java Telephony API teaches a circuit for mapping the data to a legacy telephony device resource (p. 8 terminal object).

Regarding claim 56, Wood teaches a system wherein the web application is an interface to a telephony device (col. 6 lines 56-66).

Regarding claims 1-2 and 4-14, they are method claims corresponding to apparatus claims 43-44 and 46-56, respectively. Since they do not teach or define above the information in the corresponding apparatus claims, they are rejected under the same basis.

Regarding claims 15-16 and 18-28, they are apparatus claims written in means plus function form corresponding to apparatus claims 43-44 and 46-56, respectively. Since the particular means disclosed in this application include the "circuits" of apparatus claims 43-44 and 46-56, any combination of references that renders obvious claims 43-44 and 46-56 will also render obvious claims 15-16 and 18-28.

Regarding claims 29-30 and 32-43, they are media claims corresponding to apparatus claims 43-44 and 46-56, respectively. Since they do not teach or define above the information in the corresponding apparatus claims, they are rejected under the same basis.

As to claim 57, it is unpatentable over the combination of Wood in view of the Java Telephony API for the reasons given above with respect to claim 43. As to the addition of the call server wrapper, it is noted that the specification defines it as a program that enables a legacy call server to communicate with a web application. This feature corresponds to the software on the remote telephony server of figure 1 that handles method calls from the Provider object described on page 7 of the Java Telephony API. As to the telephony device wrapper, it is noted that the specification defines a telephony device wrapper as a program that enables a legacy telephony device to communicate with a web application. This feature corresponds to the

software on the remote telephony server of figure 1 that handles method calls from the terminal object described on page 8 of the Java Telephony API.

Regarding claims 58-64, they are rejected for the reasons given above with respect to corresponding claims 44, 46-47, 48, 50, 52, and 55. The claims correspond as follows: 58 with 44, 59 with 48, 60 with 50, 61 with 55, 62 with 52, 63 with 46, and 64 with 47.

Regarding claim 65, the Java Telephony API teaches a system wherein the web application independently controls a user interface resource of the legacy telephony device (pp. 36-39 phone ringer methods).

Claims 3, 17, 31, 45, and 66 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Wood in view of the Java Telephony API as applied to claims 2, 16, 30, and 44 above, and further in view of Gralla, P., How Intranets Work, Ziff-Davis Press, pp. 94-99, 1996.

Regarding claims 45 and 66, the combination of Wood in view of the Java Telephony API teaches the invention substantially as claimed. See the rejection of claims 44 and 57 above. The combination of Wood in view of the Java Telephony API does not teach the additional limitation of claims 45 and 66. Gralla on the other hand teaches the use of a password/user proxy server to control access to network resources (pp. 98-99). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine Gralla's user authentication system with the system of the combination of Wood in view of the Java Telephony API by authenticating user

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accesses to Wood's web server. Wood describes a call forwarding function controlled via the web facility (col. 9 lines 46-64). Upon considering this example, a person of ordinary skill in the art would reasonably infer users would want to prevent malicious access to the call forwarding function and therefore recognize the need to authenticate user accesses.

As to claim 3, it is a method claim corresponding to apparatus claim 45. Since it does not teach or define above the information in the corresponding apparatus claim, it is rejected under the same basis.

As to claim 16, it is an apparatus claim written in means plus function form corresponding to apparatus claim 45. Since the particular means disclosed in this application include the "circuits" of apparatus claim 45, any combination of references that renders obvious claim 45 will also render obvious claim 16.

As to claim 31, it is a media claim corresponding to apparatus claim 45. Since it does not teach or define above the information in the corresponding apparatus claim, it is rejected under the same basis.

Response to Arguments

No arguments were submitted with the request for a Continued Prosecution Application under 37 CFR 1.53(d).

Conclusion

All claims are drawn to the same invention claimed in the parent application prior to the filing of this Continued Prosecution Application under 37 CFR 1.53(d) and could have been finally rejected on the grounds and art of record in the next Office.

Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action after the filing under 35 CFR 1.53(d). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Caldwell, whose telephone number is (703) 306-3036. The examiner can normally be reached on M-F from 9:00 a.m. to 5:30 p.m. EST.

If attempts to reach the examiner by phone fail, the examiner's supervisor, Ario Etienne, can be reached at (703) 308-7562. Additionally, the fax numbers for Group 2100 are as follows:

Official Responses:	(703) 746-7239
After Final Responses:	(703) 746-7238
Draft Responses:	(703) 746-7240

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Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist at (703) 305-9600.

A handwritten signature in cursive script that reads "Andrew Caldwell".

Andrew Caldwell
703-306-3036
July 17, 2003